

FILED
Clerk
District Court

JAN 30 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

BERNARD SIKIMOUR PHILLIP,
Plaintiff,
vs.
UNITED STATES OF AMERICA,
UNITED STATES DEPARTMENT OF
STATE,
UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT and
NANCY K. FINN, individually and in her
official capacity,
Defendants.

CIVIL CASE NO. 05-0039

ANSWER OF THE UNITED STATES

Federal Defendant United States of America, by and through its counsel, Mikel W. Schwab, Assistant United States Attorney for the Districts of Guam and the NMI, answers Plaintiff's Complaint in like-numbered paragraphs as follows:

1. This is a legal conclusion and does not require an answer. To the extent it does, DENIES.

2. This is a legal conclusion and does not require an answer.

3. This is a legal conclusion and does not require an answer.

4. The United States is without sufficient information to either admit or deny the allegations contained in paragraph four, and therefore DENIES those allegations.

5. ADMITS.

1 6. ADMITS in part, DENIES in part as to the NMI.

2 7. ADMITS.

3 8. The United States is without sufficient information to either admit or deny the
4 allegations contained in paragraph eight, and therefore DENIES those allegations.

5 9. The United States is without sufficient information to either admit or deny the
6 allegations contained in paragraph nine, and therefore DENIES those allegations.

7 10. The United States is without sufficient information to either admit or deny the
8 allegations contained in paragraph ten, and therefore DENIES those allegations.

9 11. The United States admits the passport applications were filed, and denies all other
10 allegations.

11 12. ADMITS as to the letter of July 29, 2005 stating that Mr. Phillip failed to submit
12 specific documentation.

13 13. DENIES.

14 14. The United States is without sufficient information to either admit or deny the
15 allegations contained in paragraph fourteen, and therefore DENIES those allegations.

16 15. DENIES.

17 16. DENIES.

18 17. DENIES.

19 18. ADMITS that the Department does not believe he is a citizen, denies all other
20 allegations.

21 19. The United States is without sufficient information to either admit or deny the
22 allegations contained in paragraph nineteen, and therefore DENIES those allegations.

23 20. DENIES.

24 21. DENIES.

25 22. DENIES.

26 23. DENIES.

27 24. The United States is without sufficient information to either admit or deny the
28 allegations contained in paragraph twenty four, and therefore DENIES those allegations.


1 25. DENIES.

2
3 **PRAYER**

4 The United States prays that Plaintiff's claim be denied and that both parties bear their
5 own costs.

6
7 Dated January 30, 2006.

8 LEONARDO M. RAPADAS
9 United States Attorney
Districts of Guam and the NMI

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11 By: 
12 for MIKEL W. SCHWAB
Assistant U.S. Attorney
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CERTIFICATE OF SERVICE

I, Erlinda Villagomez, working in the U.S. Attorney's Office, hereby certify that a copy of the Answer in the above-captioned case was served via fax to George L. Hasselback, Esq. of O'Connor Berman Dotts & Banes, Second Floor, Nauru Building, P.O. Box 501969, Saipan, MP 96950-1969 at (670) 234-5683.

Dated: January 30, 2006



ERLINDA VILLAGOMEZ
Legal Assistant